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REMARKS

Claims 2 to 4 and 6 to 8 now stand in the application. Reconsideration and reexamination of the application on the basis of the amendments and the following remarks is respectfully requested.

Claim 1 had been rejected under 35 U.S.C. 102(b) as being anticipated by either Cook et al or McCracken. While applicant does not agree with the Examiner's position, as it is applicant's position that neither reference discloses a protective covering as set forth in original claim 1, in the interest of expediting prosecution of the application, claim 1 has been cancelled without prejudice and the limitations of claims 1 and 5 incorporated in claim 2.

Claims 2 to 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over McCracken in view of Zheng. Application respectfully traverses this rejection.

McCracken describes a child safety belt sleeve, which is a pliable funnel-shaped frame structure in which the safety belt may be releasably inserted prior to fastening of the safety belt. The funnel shaped structure may be provided with a protective cover which also enhances the aesthetic appearance of the sleeve.

Zheng describes a seatbelt adjuster to position the seatbelt around a child's waist, so that the shoulder strap does not extend across and interfere with the child's face. The seatbelt adjuster comprises a body panel forming two half panels stitched along a central portion of the half panels to form a channel between the two half panels. The adjuster is provided with four openings, two on either side of the panel. Detachable flaps are provided for separating the openings on each side from one another. In operation, the shoulder and lap belts pass through two openings on one side of the panel and the latch exits from the lower opening on the other side of the panel.

However, the combination of McCracken and Zheng does still not teach a protective covering as set forth in the claims of the present invention. In particular, the combination doesn't suggest a protective covering having a generally truncated triangular shape with the front and back being joined together along two sides with the

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third side being open for receiving the shoulder and the lap belt, wherein the third side is provided with a releasable securing means to permit the front and back to be releasably secured to one another after the belts are received there between, the releasable securing means permitting the adjustment of the size of the third side to vary the spacing between the shoulder and lap belts to accomodate different sizes of users. The Examiner had pointed to the releasable fastener 62a of Zheng as teaching the adjustment of the size of the opening. However, Zheng in Col 5, line 45 to col. 6, line 3, describes that the function of the flap is to space the waist strap of the seat belt from the shoulder strap. There is no teaching or suggestion in Zheng of providing a means to adjust the spacing between the waist and shoulder strap as set forth in the present claims.

Accordingly, it is respectfully submitted that the combination of McCracken and Zheng does not render obvious the invention as set forth in claims 2 to 5 of the present application.

Claims 6 to 8 have been rejected under 35 U.S.C. 103(a) as being unpatentable over McCracken in view of Zheng and Smith. Applicant respectfully traverses the rejection.

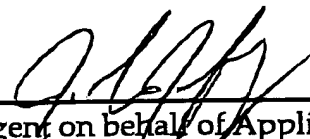
McCracken and Zheng have been discussed above. Smith describes a safety belt buckle guard having a flexible body of fabric adapted to wrap around an engaged belt buckle assembly, a rigid member for preventing depression of the release mechanism and means for properly positioning the safety belt buckle guard, so that the rigid member overlies the release belt. However, it is respectfully submitted that the combination of these references still does not teach a covering having the particular structure set forth in the present claims which allow in particular for adjustment to various sizes of users. Accordingly, it is respectfully submitted that the combination of McCracken, Zheng and Smith does not render obvious the claims in the present application.

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In view of all the foregoing, it is respectfully submitted that the application is allowable and early allowance is hereby requested.

Respectfully submitted,



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